

1632

DOCKET NO. C01040.70010.US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Heather L. Davis and Michael J. McCluskie  
Serial No.: 09/768,012  
Conf. No.: 9273  
Filed: January 22, 2001  
For: IMMUNOSTIMULATORY NUCLEIC ACIDS FOR INDUCING A TH2  
IMMUNE RESPONSE  
Examiner: D. Nguyen  
Art Unit: 1632

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FEB 2, 8 2003

TECH CENTER 1600/2900

## CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, Washington, D.C. 20231, on the 18th day of February, 2003.

  
Maria A. Trevisan

Commissioner for Patents  
Washington, D.C. 20231

Sir:

TRANSMITTAL

Transmitted herewith are the following documents:

- Amendment (including Appendix A – Marked-up Claims)  
 Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

The Examiner is authorized to charge the appropriate fee to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

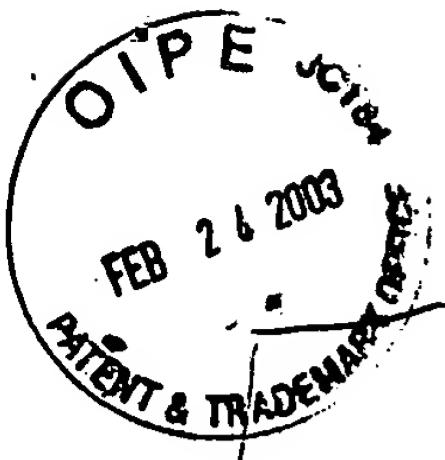
Respectfully Submitted,



Maria A. Trevisan, Reg. No. 48,207  
Wolf, Greenfield & Sacks, P.C.  
Federal Reserve Plaza, 600 Atlantic Avenue  
Boston, MA 02210-2211  
Attorney for Applicants

Docket No. C01040.70010.US  
Date: February 18, 2003  
**X02.15.03**

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**AMENDMENT**

This Amendment is filed in response to the Office Action (Paper No. 15) mailed from the United States Patent and Trademark Office on August 15, 2002. A three-month extension of time to and including February 15, 2003 for responding is respectfully requested. The Examiner is authorized to charge the Deposit Account of the undersigned for the three month extension fee.

In the Claims

Please cancel claims 55, 78, 112, 124, 135, 136, 142, 150, 152 and 153 as drawn to non-elected inventions, provided that Group II (claim 55) has not been rejoined with Group I (see Remarks).

Please amend claims 1, 31 and 100. Please rewrite the claims as shown below. A marked-up version of the amended claims is attached in Appendix A.

- B1
1. (Amended) A method for inducing an antigen specific immune response comprising: administering to a subject an antigen and a Th2-immunostimulatory nucleic acid, at least six nucleotides in length and having a phosphorothioate backbone linkage, in an amount effective to